

SO ORDERED: December 10, 2018.




Robyn L. Moberly
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

In re:

USA GYMNASTICS,¹

Debtor.

Chapter 11

Case No. 18-09108-RLM-11

**ORDER GRANTING ON AN INTERIM BASIS DEBTOR'S EMERGENCY MOTION FOR
ORDER (I) APPROVING COMMERCIAL CARD AGREEMENT WITH PNC BANK; (II)
AUTHORIZING THE DEBTOR TO PERFORM ALL POST-PETITION OBLIGATIONS
THEREUNDER PURSUANT TO SECTION 364(c) OF THE BANKRUPTCY CODE;
AND (III) GRANTING RELATED RELIEF**

This Matter came before the Court on the *Debtor's Motion For Order (I) Approving Commercial Card Agreement With PNC Bank; (II) And Authorizing The Debtor To Perform All Post-Petition Obligations Thereunder Pursuant To Section 364(c) Of The Bankruptcy Code* (the "**Motion**")² filed by USA Gymnastics (the "**Debtor**") for an order pursuant to sections 105 and 364 of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the "**Bankruptcy Code**"), Rule 6003 of the Federal Rules of

¹ The last four digits of the Debtor's federal tax identification number are 7871. The location of the Debtor's principal office is 130 E. Washington Street, Suite 700, Indianapolis, Indiana 46204.

² All capitalized terms not defined herein shall have the meaning ascribed to them in the Motion.

Bankruptcy Procedure (the “**Bankruptcy Rules**”), and Rule B-9013-3 of the Local Rules of the United States Bankruptcy Court for the Southern District of Indiana; and upon consideration of the *Declaration of James Scott Shollenbarger*; and the Court finds that (i) it has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; (ii) this matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); (iii) the relief requested in the Motion is in the best interests of the Debtor, its estate, and creditors, and any party in interest; and after due deliberation, and good and sufficient cause appearing therefore, the Court hereby determines the Motion should be GRANTED.

IT IS HEREBY ORDERED that:

1. The Motion is granted.
2. The Debtor is authorized on an interim basis to continue using the Purchase Cards subject to the terms and conditions of the Purchase Card Agreement, including the payment of any service fees incurred in connection therewith, and to pay any prepetition amounts related thereto. The Bank is granted a first lien on the Collateral Account to secure all obligations arising from the Debtor’s use of the Purchase Cards, and to enter into appropriate collateral documentation in connection therewith. Upon any default, the card issuer may offset any card obligations against such cash collateral without further Court order.
3. The Purchase Card Agreement (as defined in the Motion) attached as Exhibit B to the Motion is approved on an interim basis.
4. A final hearing on the approval of the Purchase Card Agreement will be held on January 16, 2019 at 1:30 p.m. (Prevailing Eastern Time).

5. The Court retains jurisdiction with respect to all matters arising from or related to the implementation or interpretation of this Order.

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